

ORDINANCE NO. 2001-07-080

AN ORDINANCE AMENDING ORDINANCE NO. 1270 OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A PRIVATE STREET DEVELOPMENT FOR AN APPROXIMATELY 226.645 ACRE TRACT OF LAND LOCATED ON THE EAST SIDE OF F.M. 2478 (CUSTER ROAD), ON THE NORTH SIDE OF COUNTY ROAD 121, AND ON THE SOUTH SIDE OF U.S. HIGHWAY 380 (UNIVERSITY DRIVE), PROVIDING FOR THE APPLICATION OF ARTICLE VII, WITHIN THE SUBDIVISION ORDINANCE NO. 1290; PROVIDING FOR SITE PLAN APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING INJUNCTIVE RELIEF; PROVIDING FOR NO VESTED INTERESTS; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the owner(s) of the proposed Lacima Addition, a private street development comprised of 271 single family residential lots on 226.645 acres, located on the east side of F.M. 2478 (Custer Road), on the north side of County Road 121, and on the south side of U.S. Highway 380 (University Drive), which is depicted in Exhibit "A" and made a part hereof for all purposes, have petitioned the City of McKinney to amend Zoning Ordinance No. 1270 and Subdivision Ordinance No. 1290 to provide for a Specific Use Permit for a private street development; and

WHEREAS, the owner(s) are willing to accept and agree to be bound by and comply with the written requirements of the specific use permit, and

WHEREAS, after due notice of the requested zoning as required by law, and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that such amendment should be made.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. From and after the effective date of this Ordinance, Zoning Ordinance No. 1270 and Subdivision Ordinance No. 1290 of the Code of Ordinances of the City of McKinney, Texas, is hereby amended to provide for a Specific Use Permit for a private street development comprised of 271 single-family residential lots on 226.645 acres, located on the east side of F.M. 2478 (Custer Road), on the north side of County Road 121, and on the south side of U.S. Highway 380 (University Drive), in the City of McKinney, Collin County, Texas, which is more fully depicted on Exhibit "A".

Section 2. Development of the subject property shall be regulated by Article VII, Private Street Regulations, within the City of McKinney Subdivision Ordinance No. 1290, as well as the regulations of the zoning district applicable to the property and all other applicable regulations of the City of McKinney.

Section 3. The property shall be developed according to the approved plat as depicted in Exhibit "B" and attached hereto.

Section 4. The property shall be developed according to the approved site plan as depicted in Exhibit "C" and attached hereto in accordance with Section 41-39 Site Plan Approval and Section 40-166 (6) Private Street Regulations: Specific Requirements of the Code Ordinances, of the City of McKinney.

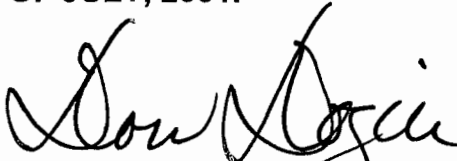
Section 5. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 6. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

Section 7. That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development, or specific regulations contained herein. The ordinance, and the subsequent site plan (if any) and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 8. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 17TH DAY OF JULY, 2001.




DON R. DOZIER, MAYOR

CORRECTLY ENROLLED:



JENNIFER SPROULL, CITY SECRETARY
BEVERLY COVINGTON, DEPUTY CITY SECRETARY

APPROVED AS TO FORM:



MARK S. HOUSER, CITY ATTORNEY

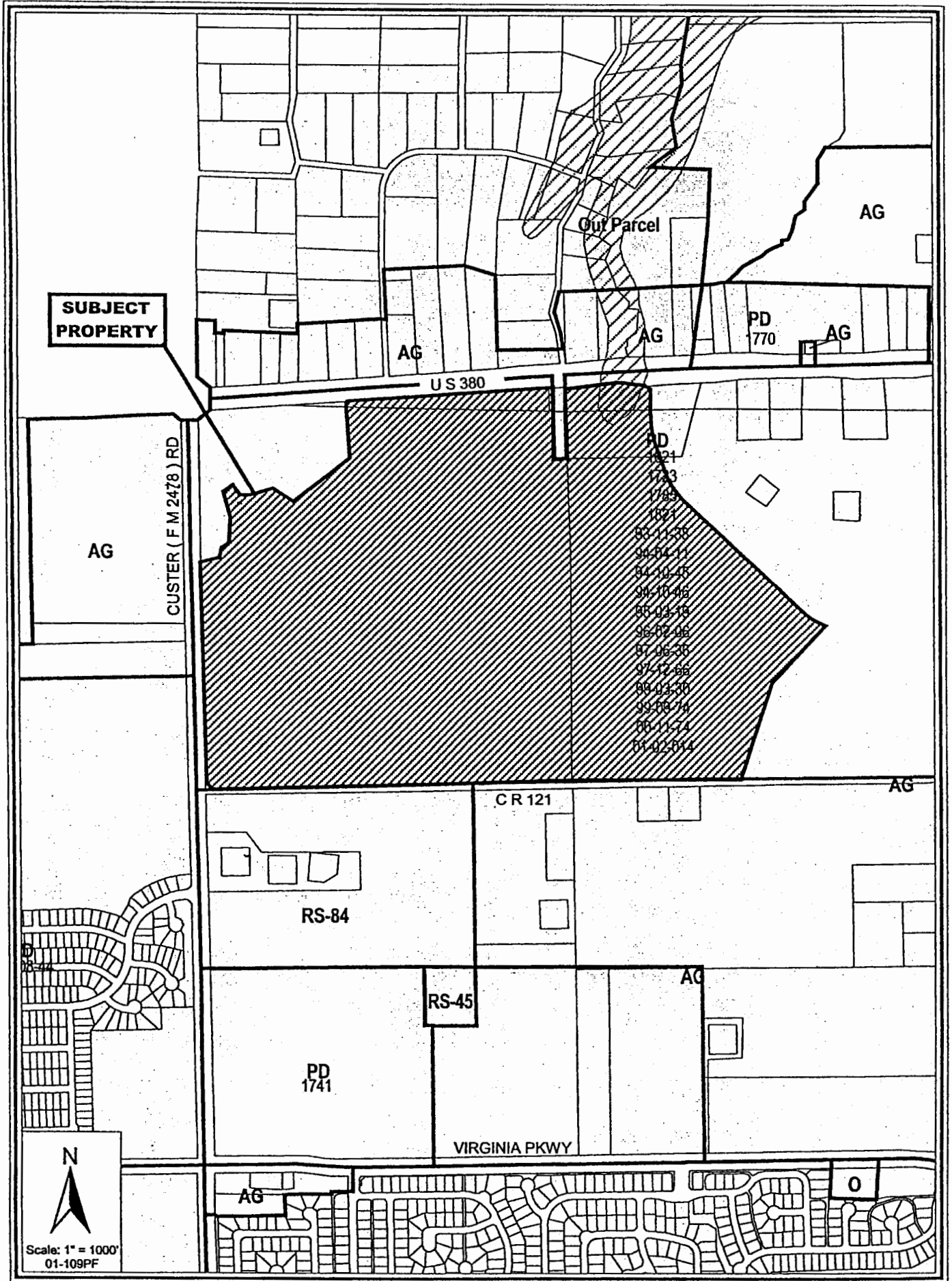
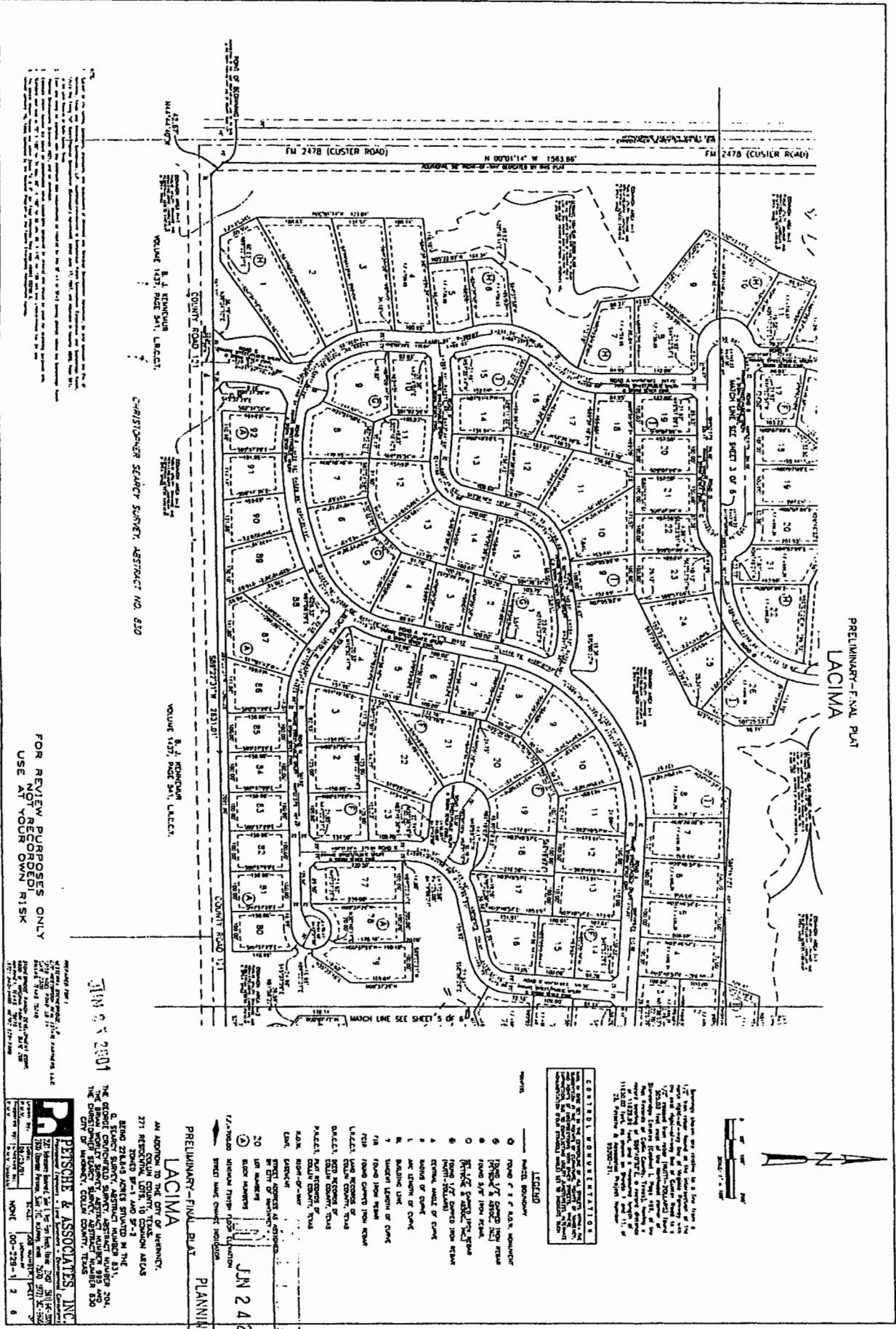
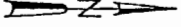


EXHIBIT "A"



PRELIMINARY-FINAL PLAT
LACIMA



Survey shown was prepared by a Licensed Surveyor in the State of Texas, and the accuracy of the same is guaranteed by the Surveyor. The Surveyor is not responsible for the accuracy of the information shown on this plat, which is the responsibility of the person or persons who furnished the same to the Surveyor.

CONVEYANCE INFORMATION

THIS PLAT IS THE RESULT OF A SURVEY MADE BY THE SURVEYOR NAMED ABOVE, AND THE ACCURACY OF THE SAME IS GUARANTEED BY HIM. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS PLAT, WHICH IS THE RESPONSIBILITY OF THE PERSON OR PERSONS WHO FURNISHED THE SAME TO THE SURVEYOR.

LEGEND

- 1. ROAD 6" F.A.S. UNBOUND
- 2. ROAD 12" F.A.S. UNBOUND
- 3. ROAD 18" F.A.S. UNBOUND
- 4. ROAD 24" F.A.S. UNBOUND
- 5. ROAD 30" F.A.S. UNBOUND
- 6. ROAD 36" F.A.S. UNBOUND
- 7. ROAD 42" F.A.S. UNBOUND
- 8. ROAD 48" F.A.S. UNBOUND
- 9. ROAD 54" F.A.S. UNBOUND
- 10. ROAD 60" F.A.S. UNBOUND
- 11. ROAD 66" F.A.S. UNBOUND
- 12. ROAD 72" F.A.S. UNBOUND
- 13. ROAD 78" F.A.S. UNBOUND
- 14. ROAD 84" F.A.S. UNBOUND
- 15. ROAD 90" F.A.S. UNBOUND
- 16. ROAD 96" F.A.S. UNBOUND
- 17. ROAD 102" F.A.S. UNBOUND
- 18. ROAD 108" F.A.S. UNBOUND
- 19. ROAD 114" F.A.S. UNBOUND
- 20. ROAD 120" F.A.S. UNBOUND
- 21. ROAD 126" F.A.S. UNBOUND
- 22. ROAD 132" F.A.S. UNBOUND
- 23. ROAD 138" F.A.S. UNBOUND
- 24. ROAD 144" F.A.S. UNBOUND
- 25. ROAD 150" F.A.S. UNBOUND
- 26. ROAD 156" F.A.S. UNBOUND
- 27. ROAD 162" F.A.S. UNBOUND
- 28. ROAD 168" F.A.S. UNBOUND
- 29. ROAD 174" F.A.S. UNBOUND
- 30. ROAD 180" F.A.S. UNBOUND
- 31. ROAD 186" F.A.S. UNBOUND
- 32. ROAD 192" F.A.S. UNBOUND
- 33. ROAD 198" F.A.S. UNBOUND
- 34. ROAD 204" F.A.S. UNBOUND
- 35. ROAD 210" F.A.S. UNBOUND
- 36. ROAD 216" F.A.S. UNBOUND
- 37. ROAD 222" F.A.S. UNBOUND
- 38. ROAD 228" F.A.S. UNBOUND
- 39. ROAD 234" F.A.S. UNBOUND
- 40. ROAD 240" F.A.S. UNBOUND
- 41. ROAD 246" F.A.S. UNBOUND
- 42. ROAD 252" F.A.S. UNBOUND
- 43. ROAD 258" F.A.S. UNBOUND
- 44. ROAD 264" F.A.S. UNBOUND
- 45. ROAD 270" F.A.S. UNBOUND
- 46. ROAD 276" F.A.S. UNBOUND
- 47. ROAD 282" F.A.S. UNBOUND
- 48. ROAD 288" F.A.S. UNBOUND
- 49. ROAD 294" F.A.S. UNBOUND
- 50. ROAD 300" F.A.S. UNBOUND

JAN 24 2001

PRELIMINARY-FINAL PLAT
PLANNING

LACIMA

AN ADDITION TO THE CITY OF LEBANON,
COLLIN COUNTY, TEXAS
271 RESIDENTIAL LOTS
BEING 271 LOTS ACRES SHOWN IN THE
ELECTRIC SURVEY ABSTRACT NUMBER 831
THE DISTRICT SURVEY ABSTRACT NUMBER 204
THE DISTRICT SURVEY ABSTRACT NUMBER 830
CITY OF LEBANON, COLLIN COUNTY, TEXAS

PERSCHKE & ASSOCIATES, INC.
12000 Highway 190, Suite 100, Dallas, TX 75244
Phone: (972) 241-1100
Fax: (972) 241-1101
www.perschke.com

FOR REVIEW PURPOSES ONLY
NOT RECORDED
USE AT YOUR OWN RISK

EXHIBIT "B"

THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION OR RECORDING. IT IS SUBJECT TO THE APPROVAL OF THE CITY OF LACIMA AND THE STATE OF TEXAS. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE CITY OF LACIMA AND THE STATE OF TEXAS. THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION OR RECORDING. IT IS SUBJECT TO THE APPROVAL OF THE CITY OF LACIMA AND THE STATE OF TEXAS. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE CITY OF LACIMA AND THE STATE OF TEXAS.

SPRING 2 ACRES SURVEY ABSTRACT NO. 395

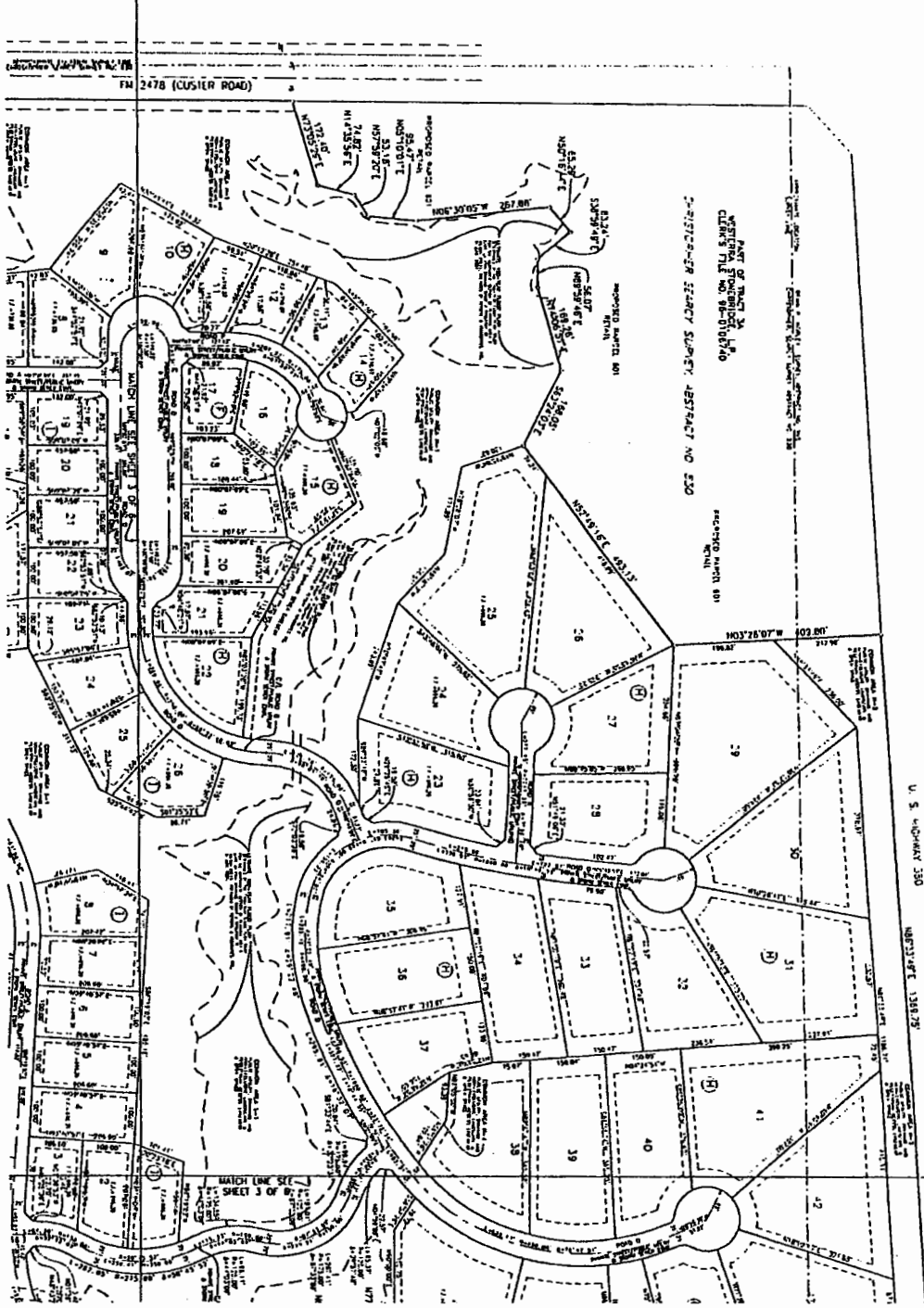
U. S. HIGHWAY 380

SECTION 1388.75

PRELIMINARY-FINAL PLAT
LACIMA

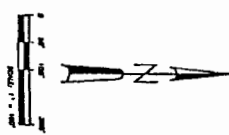
SPRING 2 ACRES SURVEY
ABSTRACT NO. 395

1984-1



FOR REVIEW PURPOSES ONLY
USE AT YOUR OWN RISK

JUN 23 2001



ESSENTIAL REVISIONS
THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

LEGEND

- 1 ROAD 12' EASEMENT
- 2 ROAD 12' EASEMENT
- 3 ROAD 12' EASEMENT
- 4 ROAD 12' EASEMENT
- 5 ROAD 12' EASEMENT
- 6 ROAD 12' EASEMENT
- 7 ROAD 12' EASEMENT
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- 40 ROAD 12' EASEMENT
- 41 ROAD 12' EASEMENT

PRELIMINARY-FINAL PLAT
LACIMA
PLANNING

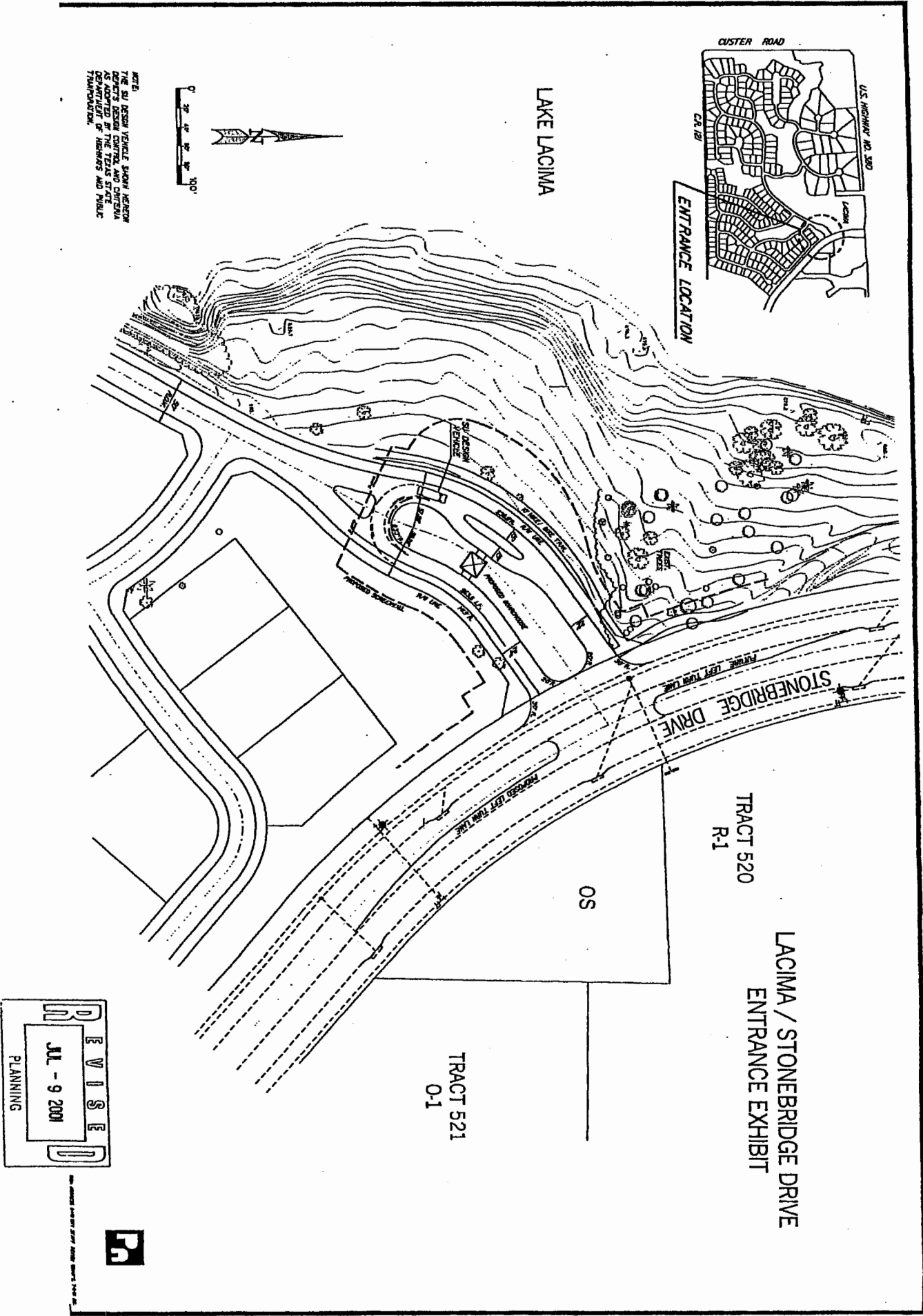
JUN 24 2001

PENSCHE & ASSOCIATES, INC.
Professional Engineers and Surveyors
1100 West 11th Street, Suite 100
Lubbock, Texas 79410
Phone: 806-799-1333
Fax: 806-799-1334
www.pensche.com

AM APPROVED TO THE CITY OF LACIMA
271 MEMORIAL DRIVE, 10 COUNCIL AVENUE
JONES ST-1 AND ST-2
BEING 2.5 ACRES SITUATED IN THE
EAST 1/2 SECTION 1388.75, T12N, R10E,
THE STATE OF TEXAS, ABSTRACT NUMBER 395
THE CITY OF LACIMA, COLLIN COUNTY, TEXAS

DATE: JUN 23 2001
BY: [Signature]
TITLE: [Title]

EXHIBIT "B"

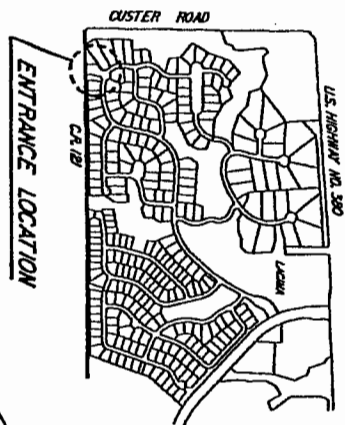


NOTE:
 THE SITE DESIGN VEHICLE PARKING SPACES
 DEPARTS DESIGN CONTROL AND CRITERIA
 AS ADOPTED BY THE TEXAS STATE
 DEPARTMENT OF HIGHWAYS AND PUBLIC
 TRANSPORTATION.

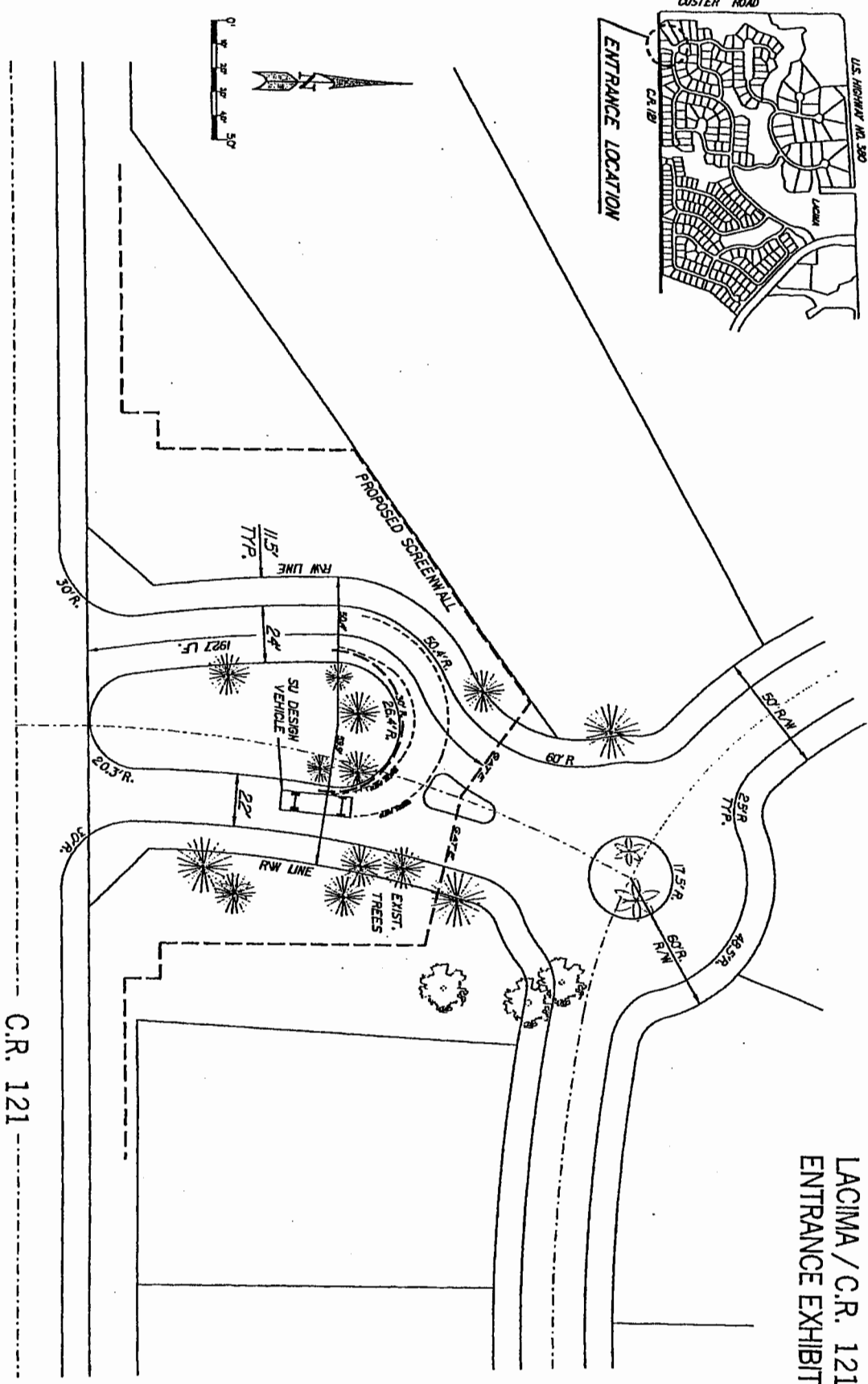
REVISION
 JUL - 9 2001
 PLANNING



EXHIBIT "C"



LACIMA / C.R. 121
ENTRANCE EXHIBIT



NOTE:
THE SU DESIGN VEHICLE SHOW HEREON
DEPENDING DESIGN CRITERIA AND CRITERIA
AS APPLICABLE TO THE CLASS OF PUBLIC
TRANSPORTATION.

REVISION
JUL - 9 2001
PLANNING



EXHIBIT "C"